

Receipt date: 02/28/2006

10/569953
10569953- GAU: 3768
IAP9 Rec'd PCT/PTO 28 FEB 2006

Customer No. 22,852
Attorney Docket No. 09812.0123

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

National Stage of International)
Application No. PCT/JP2004/011633)
under 35 U.S.C. 371)

For: **MEASURING DEVICE AND ITS)
METHOD**)

Re Application of:)

Kiyoaki TAKIGUCHI)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicant brings to the Examiner's attention the documents listed on attached Form PTO/SB/08 and cited in the international search report. Copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

The following are listed on the accompanying PTO/SB/08 and are in a non-English language:

1. JP 6-53117 - The relevance of this document is discussed at page 1 of the specification of the present application.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /N.E./

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2. JP 3367279 - The relevance of this document is discussed at page 1 of the specification of the present application.

The following are listed on the accompanying PTO/SB/08 and are in a non-English language:

- 3. JP 8-140954
- 4. JP 55-2416
- 5. JP 2003-232823

An English-language abstracts of documents 1-3 and 5 are enclosed.

In lieu of a statement of relevance or translation of the non-English documents, enclosed is an English-language international search report from the Japanese Patent Office in the priority application citing these references and setting forth the relevance thereof.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 27, 2006

By: David W. Hill
David W. Hill
Reg. No. 28, 220

Enclosures
DWH/FPD/alp

Receipt date: 02/28/2006

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IDS Form PTO/SB/08: Substitute for form 1449A/PTO		IAPS Rec'd PCT/PTO 28 FEB 2006 Application Number Not Yet Assigned Filing Date February 27, 2006 First Named Inventor Kiyooki TAKIGUCHI Art Unit Not Yet Assigned Examiner Name Not Yet Assigned Attorney Docket Number 09812.0123	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			
Sheet	1	of	2

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-			
		US-			
		US-			
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		US-			
		US-			

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		JP 6-53117	02-25-1994	HITACHI LTD		Abstract
		JP 3367279	12-03-1996	KAO CORP		Abstract
		JP 8-140954	06-04-1996	NEC CORP		Abstract
		JP 55-2416	01-09-1980			No
		JP 2003-232823	08-22-2003	NAKAZOE ATSUSHI OKAZAKI YUZURU		Abstract

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶

Examiner Signature	/Nicholas Evoy/	Date Considered	09/23/2009
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /N.E./